IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 4961 OF 2005
IN
CRIMINAL APPEAL NO.727 OF 2005

Prakash Vasant Naik ..Applicant
Vs.
The State of Maharashtra ..Respondent

...
Mr. S.P.Kadam Advocate for Applicant
Ms. S.V.Gajare,A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : AUGUST 17,2005

P.C.

1. Heard both sides.

2. The applicant has been seeking bail. He has been convicted under Section 325 of IPC. The maximum sentence imposed on the appellant is three years.

3. The learned advocate for the applicant has pointed out that the applicant was on bail pending trial and he has not misused the liberty granted to him. This statement is not controverted by the prosecution. The learned advocate for the

applicant has further submitted that sentence imposed on the applicant is only three years and the appeal preferred by the applicant is not likely to be heard and disposed of within the period of three years.

3. The Supreme Court in the case of **Bhagwan Rama Gosai and ors. Vs. State of Gujrat** reported in **(1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of the facts and circumstances of this case, I am inclined to grant bail.

4. The applicant-Prakash Vasant Naik to be released on bail in the sum of Rs.15,000/- with one or two sureties to make up that amount. The applicant is directed to report to Dindoshi police station on 2nd and fourth Sundays of every month till the disposal of the appeal. The applicant is granted two weeks time to furnish sureties.

4. Application is disposed of.

[V.K.TAHILRAMANI,J.]